



Shelby County Tennessee

EMPLOYEE HANDBOOK

THIS HANDBOOK BELONGS TO:

ACKNOWLEDGEMENT OF RECEIPT OF HANDBOOK

NAME _____

SOCIAL SECURITY NUMBER _____

As an employee of Shelby County Government, I have been given a copy of the Employee Handbook, and I understand that it is my responsibility to read this Handbook thoroughly and to request additional information or clarification if I do not understand any of the information contained herein.

SIGNED

DATE

(This page is to be removed and returned to the Shelby County Human Resources Office, Suite 901, 160 N. Main Street Mall, 38103)

Handbook Publication Date May 1, 2000

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Canary Copy -- Department
Pink Copy -- Employee

**SHELBY
COUNTY
GOVERNMENT**

EMPLOYEE HANDBOOK

Published by:

**THE SHELBY COUNTY HUMAN RESOURCES
DEPARTMENT
160 N. MAIN STREET MALL, ROOM 901
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Published with Revisions

May 1, 2000

**ELECTED OFFICIALS
OF
SHELBY COUNTY GOVERNMENT**

A C WHARTON, JR.
Mayor

Tom Moss
Chairman
Shelby County Board of Commissioners

District 1	Marilyn Loeffel	District 3	Michael Hooks
District 1	George Flinn	District 3	Cleo Kirk
District 1	John Willingham	District 3	Joe Ford
District 2	Walter L. Bailey Jr.	District 4	Joyce Avery
District 2	Julian T. Bolton	District 4	Tom Moss
District 2	Deidre Malone	District 4	David Lillard
District 5	Bruce Thompson		

Assessor of Property	Rita Clark
Chancery Court Clerk & Master	Kenny W. Armstrong
Circuit Court Clerk	Jimmy Moore
County Clerk	Jayne S. Creson
Criminal Court Clerk	Bill Key
General Sessions Court Clerk	Chris Turner
Juvenile Court Judge	Kenneth Turner
Juvenile Court Clerk	Steve Stamson
Probate Court Clerk	Chris Thomas
Register	Tom Leatherwood
Sheriff	Mark Luttrell
Trustee	Robert "Bob" Patterson

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INTRODUCTION

Shelby County Government is a large and complex organization, which exists to serve 826,000 citizens of Shelby County who support the work through the payment of taxes and fees.

Each of more than 6,000 employees, beginning with the elected officials and continuing throughout the ranks of all departments, has responsibilities.

The responsibilities of every employee are:

- To give high quality workmanship and services;
- To show courtesy at all times to the public and to fellow employees;
- To report to work promptly and leave only at the end of the workday;
- To minimize absenteeism and tardiness;
- To follow all safety practices while on the job;
- To retain one's individuality, yet maintain a high level of appearance, good grooming, hygiene, and dress that reflect the professional nature of the job;
- To provide the County and the public with accurate information without misrepresentation;
- To avoid conflicts of interest and the appearance of conflicts that would diminish the level of the integrity of County Government in the eyes of the public;
- To maintain a current address and telephone number with your department management at all times;
- To give reasonable written notice when resigning from a position unless otherwise waived in writing by management.

County's management responsibilities in turn are:

- To maintain the highest level of service possible with the resources that are available;
- To minimize waste and to ensure the efficient use of all tax dollars;
- To provide employees with reasonable compensation with the financial resources available to the County;
- To provide employees with fair consideration for promotions;
- To provide employees consistent and non-discriminating interpretation and implementation of personnel policies and practices.

Working together, we can provide quality services to the taxpayers of this community and improve the quality of life for all citizens.

ABOUT THIS HANDBOOK

This Handbook has been prepared to provide general information about employment and responsibilities with Shelby County Government. It is not meant to be a contract or a governing document.

This handbook summarizes personnel policies as set out in Volume I and Volume II of the Personnel Management System of Shelby County Government and provides administrative interpretation of certain policies. In the event there is a conflict between the information in this handbook and any policy in the Personnel Management System, the policy as set out in Volume I and/or Volume II of the Personnel Management System will govern. Copies of these volumes are maintained in each department and are available for review upon request.

Information contained in this handbook may vary for employees in bargaining units covered by Memoranda of Understanding. In those cases, the Memorandum of Understanding is always the governing document.

For additional information or if there are questions on the information presented in this Handbook, call the Shelby County Human Resources Department at 545-4348.

Shelby County Government reserves the right to alter or to modify the contents of the Shelby County Employee Handbook at its sole discretion. Under no circumstances can this handbook create a contract of employment between Shelby County and an employee. All provisions, limitations, and exclusions are not covered in this handbook. No rights accrue to any Shelby County employee by any statement or omission from this handbook.

HISTORY OF SHELBY COUNTY GOVERNMENT

On November 24, 1819, Shelby County was carved from Hardin County on West Tennessee land that had been purchased from the Chickasaw Indian tribe.

The first governing body, the Quarterly Court, was called into session on May 1, 1820, in a log cabin near Main and Winchester in the frontier settlement of Memphis, located on the Fourth Chickasaw Bluff above the Mississippi River. The County's population was about 300.

As the only governmental authority in the area, the Quarterly Court appointed County officials, including the sheriff, constable, register, trustee, coroner, prosecutor, and clerk. The court also set bounties on animals, such as \$3 for a wolf pelt.

Court members quickly appropriated \$175 to build a log courthouse, jury room, and jail on Market Street.

The County seat was relocated from Memphis to Raleigh in 1827 and remained there until after the Civil War on the basis that Raleigh was closer to the center of the County. Memphis was again named the county seat in 1886.

The Quarterly Court did not meet from May 1862, to September 1864. After the Civil War the Court addressed itself to problems caused by the effects of the war and by a growing population.

The Court was abolished during the administration of Tennessee's Reconstruction Governor, W. G. Brownlow, who came to power following the Civil War. Although it was replaced by a five-man commission appointed by Governor Brownlow in 1868, the County Court was re-established and the commission abolished a year later. In 1870 the state constitution was changed to provide that County officials must be either elected by the people or selected by a vote of the County Quarterly Court, thus effectively preventing future governors from making such appointments.

In 1911, E. H. Crump secured several changes in County government, including a reduction in the number of County Court members. The number of civil districts was reduced from 19 to 7, and limits were placed on the rights of towns to elect members. The number of the districts wavered in the ensuing decades, but by 1965 had settled at nine.

In 1968, after the landmark Supreme Court decision of Baker vs. Carr, the legislature directed the Court make-up to be apportioned in line with the population. The role of the chairman of the Quarterly Court grew in stature again, particularly in the areas of finance and accounting. The executive branch of County Government was composed of three County Commissioners. As a result, executive authority in the County was split between the chairman and the executive branch of County government. In an effort to delineate responsibilities, a bill was passed by the legislature on March 21, 1974, to restructure County Government. A referendum received overwhelming approval in August of that year.

On January 1, 1976, the three-member commission was abolished and the County's first Mayor took office. Duties and responsibilities of the executive and legislative body changed, with the Mayor responsible for all executive duties and the Commissioners responsible for all legislative duties. The modern Board of Commissioners has 13 members.

The importance of County government is reflected in the seats of government over the decades. In 1909, the Shelby County Courthouse, occupying a city block in downtown Memphis, was opened and served as the center of government in Shelby County for six decades. Built for \$1.1 million, the Courthouse stands as a historic link with Shelby County's rich past. In 1967, County government built a \$5.4 million administration building at 160 North Main to house operations. The Shelby County Criminal Justice Complex opened in 1981 at a cost of \$58 million. Built to replace the old County jail, the 10-story facility at 201 Poplar became the home of the Memphis Police Department, Shelby County Sheriff's Department, Attorney General's Office, Public Defender's Office, City Courts, Criminal Courts, and General Sessions Criminal Courts.

Another major change in the operations of County Government came in September 1986 when the County began operating under a Home Rule Charter. The Charter gave Shelby County Government the authority to adopt its own legislation. The Home Rule Charter, which was overwhelmingly approved by the voters, replaced the old Restructure Act, thereby eliminating the state legislature from much of the decision-making in Shelby County. Under Home Rule, a majority vote of the Board of Commissioners is required on most resolutions, with a two-thirds vote being required on certain issues.

Armed with a more effective organization, Shelby County Government has provided aggressive leadership that has resulted in economic gains and record job growth.

THE SHELBY COUNTY CIVIL SERVICE MERIT SYSTEM

The Civil Service Merit System of Shelby County Government was enacted by law to provide for a fair and consistent personnel management system for all employees.

Created by the Tennessee Private Acts of 1971 (Chapter 110), the Civil Service Merit System provides for a unified personnel system that operates under the direction of a five-person citizen board chosen by the elected officials of County Government. The Administrator of Human Resources serves as the Board's Secretary.

In 1975, the Civil Service Merit Board and Quarterly Court hired the Lawrence-Leiter Company, a personnel consultant, to study the existing system to recommend policies and to create a classification and pay system. As a result of this study, The Personnel Management System of Shelby County Government, encompassing three volumes was created to provide for the operation of the system. In October of 1987, Volumes I and II were revised in line with changes in federal and state law and County Commission resolutions. Volume III, which contains the Job Classification Descriptions, was revised during the Job Family Classification Study in September of 1984.

Since 1971, the Civil Service System has operated to ensure the rights of all employees while maintaining a high level of public service for the taxpayers of Shelby County.

UNIFIED PERSONNEL POLICY COMMITTEE

The UPPC was established in 1969 by resolution of the County Court, now known as the County Commission.

The purpose of this committee is to prepare, investigate, review, and recommend personnel policies and benefit changes for approval by the County Commission.

The UPPC is composed of eleven members, which include four elected officials selected by their peers; five non-management employees selected by the Board of Commissioners; the Administrator of Human Resources, who serves as secretary; and the Assistant Chief Administrative Officer, who serves as the chairman.

There is an election for employee representatives once a year. Representatives must have five years of continuous service and must be non-managers. Employees must submit a nomination form to the chairman of the County Commission supported by a petition containing at least fifty approved signatures of employees who have completed their probationary periods.

Employees are eligible to serve two two-year terms. Elected officials also serve two two-year terms and are eligible to serve again with a break in service.

Anyone may attend the monthly meetings. The Committee has two sub-committees: benefits and policy, which are made up of the members and concentrate on specific areas and make recommendations for a final vote by the entire UPPC. These sub-committee meetings are held monthly as well.

EMPLOYMENT POLICIES

APPOINTING AUTHORITY (DEFINITION)

This title is given to all elected officials of the County or to the heads of County departments who are charged with hiring, promoting, demoting, disciplining, or terminating personnel under their direction.

MINIMUM WORKING AGE

The State of Tennessee labor laws prevail in determining the minimum age for employment. Under most circumstances, the minimum working age for regular employment is 18.

NEW EMPLOYMENT PROBATION

New employees hired or rehired into a regular or durational position must successfully complete a probationary period of not less than six (6) months or more than nine (9) months duration. The usual six (6) month probation may be extended by the Civil Service Merit Board as much as three (3) months if performance does not reach a competent and effective level. Before the end of the probationary period, a performance evaluation should be completed to document performance during the probationary period. Until probation is completed satisfactorily, classified employees do not attain regular status entitling them to the rights, privileges, and protection of the Civil Service Merit System.

A new employee must serve a six- or nine-month probation, while a current employee who is promoted or moved to a new position shall serve a 90-day or 180-day probation. The length of the probation is set by the employee's supervisor.

Other types of probation are:

1. Performance Probation (See page 18)
2. Disciplinary Probation (See page 39)

REDUCTION IN FORCE

While Shelby County strives to provide maximum job security, lack of funds or curtailment of work may require the Appointing Authority to reduce the number of regular employees. In the event of a layoff, consideration will be given to length of service and performance ratings.

If laid off, a regular classified employee may request the Administrator of Human Resources to place his or her name on a re-employment register that allows for preferential placement for as long as one year.

Durational employees are employed for a limited period of time that does not exceed the duration of a project, and they may be separated at the end of the project without having re-employment rights.

Appointed employees who were not in a classified civil service position immediately prior to appointment in an unclassified position have no preferential placement rights if laid off.

RE-EMPLOYMENT

A former employee of County government who has been gone from employment for more than two years and is returning to County employment will be "re-employed" or re-hired as a new employee without prior service credit or benefits.

Appointed employees who were in a classified civil service position immediately prior to appointment to an unclassified position can request immediate reinstatement to their previous classified position or equivalent upon 30 days written notice to the Civil Service Merit Board.

REINSTATEMENT

Any employee who held regular or durational status, and who separated in good standing, may be reinstated under the following conditions:

1. That hiring be made within two (2) years of termination;
2. That re-entry into the County's employment system be made through the normal hiring process.

Reinstatement will entitle the employee to service credit for time earned during the previous employment period, which will give the employee an adjusted service date "for benefit purposes." Civil Service status is also retained when a former employee is reinstated, which makes the employee eligible immediately for annual, sick, and bonus leave as it is accrued.

No accrued leave left on the books from the previous employment period may be retained.

Employees who are reinstated and were in Retirement Plan B during their previous employment period must enter as a new employee into Plan A.

Employees previously in Plan A who are reinstated receive prior pension service credit. Please contact the Retirement Office at 545-3570 for more details.

RESIDENCY

As specified in the Home Rule Charter, all employees hired after September 1, 1986, must be residents of Shelby County at the time they begin work and continue to reside in Shelby County as a condition of their employment.

STATUS AND RANK

Status - refers to the terms and conditions of your employment with Shelby County Government. The status categories are:

1. **Regular** - An employee who has successfully completed the new employment probation period. Such employee is eligible to receive benefits. This may be a full-time or part-time employee;
2. **Durational** - An employee who is hired through a grant or special-funded project contract, which is usually for a period of at least twelve (12) months. Such employee is eligible to receive benefits. *Durational* employees differ from regular employees in the term of their employment. This may be a full-time or part-time employee;
3. **Temporary** - An employee whose time of employment is for less than twelve (12) consecutive months. Such employee receives no benefits. This may be a full-time or part-time employee. A temporary employee employed for twelve (12) months must be off the payroll for a minimum of 90 days before being re-employed.

Rank refers to your coverage under the Civil Service Merit System. The rank categories are:

1. **Classified** - In general, includes regular and durational employees who have successfully completed new

employment probation and are subject to Civil Service Merit System rules and protection;

2. Unclassified - Includes appointed employees whose positions have specifically been "unclassified" by the Civil Service Merit Board and are not subject to Civil Service Merit System protection. Temporary employees and elected officials are also unclassified.

FAILURE TO BE RE-APPOINTED

If an appointed employee is not re-appointed at the end of an elected official's term or the appointment is withdrawn during the term and the employee held a civil service classified position immediately prior to the appointment, then an employee can request immediate reinstatement to the previous classified position or equivalent upon 30 days written notice to the Civil Service Merit Board.

JOB PERFORMANCE AND COMPENSATION

CLASSIFICATION AND COMPENSATION

The basis for the determination of civil service job classification is the actual job description. Jobs are periodically evaluated to ensure proper classification and pay.

Pay is determined by an employee's classification and corresponding grade as set out in the Civil Service Pay Tables.

Pay policy, which outlines pay practices for the fiscal year and updates the pay tables, is approved annually by the Civil Service Merit Board and the County Commission during the budget process.

PROMOTIONS

The intent of the County is to fill as many vacancies through internal promotions as possible when there are highly qualified, hard working employees available. In order to prepare for greater responsibilities, an employee should build a record of excellent employment and take advantage of opportunities on and off the job for individual development.

Regular or durational employees who have completed probation may apply for posted "open" and "closed promotional" positions if they think they meet the minimum qualifications. Certain types of positions may require an examination to qualify. County employees may keep abreast of promotional opportunities by calling the Human Resources Department Dial-a-Job line at 545-4434.

Employees on "new employment probation" may only apply for open posted positions. No employee on new employment probation, disciplinary probation or suspension may apply for closed promotional positions.

If an employee is promoted, he or she will be required to serve a three (3) month or six (6) month new job probation. Within the first 90 days of probation, an employee can be returned to the previous classification within the same elected official's jurisdiction without Civil Service appeal rights.

DEMOTIONS

An employee who has completed new employment probation in a position may be demoted within a department or agency to a position in a lower grade. There are two types of demotions:

1. Involuntary - A demotion by the Appointing Authority for just cause. The employee has the right of appeal to the Civil Service Merit Board;
2. Voluntary - A demotion agreed to by the employee in writing. This includes a minimum reduction of five percent (5%) in pay. There is no right of appeal to the Civil Service Merit Board.

An employee who has not completed new employment probation may be moved to a position in a lower grade for which he or she is qualified without the right of appeal.

ATTENDANCE AT WORK SITE

Employees are required to be at their workstations ready to begin work at the start of the scheduled work period.

Where operations are continuous, an employee shall not leave his or her post until replaced by the next shift employee or until relieved by the shift supervisor.

PAY PERIODS

The County has two pay cycles. Most employees receive their pay check semi-monthly on the working day nearest the 15th and the last working day of the month.

Other employees are paid bi-weekly and receive their paychecks every other Friday.

PERFORMANCE EVALUATIONS

Performance evaluations are given primarily to inform an employee of how well he or she is performing job assignments, to offer constructive guidance as to how performance can be improved, as well as determining eligibility for pay increases. Performance evaluations may also be used in determining the order of promotion or layoff and as a basis for retention, demotion, transfer, or discharge.

Other purposes of performance evaluations are to:

- Assist in improving employee performance;
- Promote a stronger supervisor/employee relationship;
- Provide employees with insight into their supervisor's assessment of their work performance;
- Identify training needs;

- Identify job requirements and standards and to alert employees and supervisors to any deviations;
- Reward employees who provide outstanding service to the County;
- Provide an assessment of probationary employees;
- Provide a means of assessing the overall program for employee development and in-house promotions.

A formal performance evaluation will be made at the end of the new employment probation period (during the sixth month) and annually thereafter. Management may evaluate at any time when there is a decline in performance. Other reasons for which evaluations may be given are:

1. At the end of a performance or disciplinary probation period; or
2. When an employee leaves a job, whether by promotion or termination.

When a supervisor leaves his or her position, all employees supervised should have a current evaluation.

Interim (informal) evaluations can be given at any time and are encouraged at the mid-point of any probationary or rating period.

Evaluations are made in writing by the direct supervisor and approved by higher management. Employees are encouraged to discuss with their supervisors the standards by which they are to be evaluated at the start of the evaluation period. It is important that an employee fully discuss all aspects of the evaluation when it is given.

If an employee disagrees with an evaluation after fully discussing it with the supervisor, the employee may, within ten working days, submit a written statement that will be attached and become a part of the evaluation.

An employee's evaluation is kept in the master file and will be a permanent part of the work record.

PERFORMANCE PROBATION

Whenever an employee's performance has declined to the point that it is judged by the immediate supervisor to be below competent or not meeting standards and is documented, usually on the Performance Evaluation rating form, an employee may be placed on performance probation for a set period of time that is sufficient to allow the employee to improve performance. At the end of that time, another written evaluation should be done and if that performance continues to be below competent, further appropriate action may be taken.

REASSIGNMENTS

The Appointing Authority **may reassign an employee from one position to another in the same classification for which he or she is qualified.** The employee will retain the same status and classification in the new position. An employee who is reassigned does not have the right of appeal.

SAFETY

Shelby County strives to provide a safe and healthy work environment. Toward this end, all employees are required to know and observe all safety policies and rules applicable to their job. Employees should use safe work practices and protective equipment as necessary. **Any accident or injury must be reported immediately to a supervisor** (See On-the-Job Injury Benefits, page 73.) Failure to follow safety regulations or to report on-the-job accidents or injuries in a timely manner will be grounds for disciplinary action.

TRANSFERS

At the request of a permanent or durational employee or Appointing Authority, an employee may be transferred between positions in the same classification to an available position in a different classification having the same grade provided the employee meets the minimum qualifications of the new position. This is called a lateral transfer. A transfer may require a move between departments or divisions. In this case, there must be mutual consent between the Appointing Authorities of the two departments.

There are several methods through which a transfer may occur:

1. By the Appointing Authority with the mutual consent of the Appointing Authority in the receiving department; or
2. By the employee locating a similar position and receiving the consent of the Appointing Authority; or
3. By the employee applying for similar positions as they are posted and then being selected through the normal employment process.

The Administrator of Human Resources must review and approve a transfer that is not a part of the posting procedure. Employees who laterally transfer are subject to a three-(3) month new job probation.

The employee retains the same status in the new position when the transfer is within the same classification unless the Appointing Authority requires the employee to serve a new job probation period in the new position.

WORK PERIOD

Five (5) days per week constitutes a normal workweek for most employees. This period may vary for certain categories of employees in special work assignments.

For employees working a normal work period, the number of regular hours worked can be either 37 1/2 or 40 hours per week. Employees will be informed by supervisors at the time of employment of the number of hours required and their work schedule.

When working conditions allow, an effort will be made to provide two work breaks of no more than fifteen minutes, subject to department requirements. These breaks are not guaranteed and may be taken at a workstation, if necessary.

Fifty-one percent (51%) of an employee's scheduled work hours per month constitute a full work month when determining eligibility to earn sick or vacation leave for that month.

DANGEROUS WEAPONS

No employee is allowed to bring or to possess a dangerous weapon on County property unless specifically authorized to do so or is so required as a regular part of the employee's job. Violation of this prohibition may subject an employee to termination.

ALCOHOL AND DRUG FREE WORKPLACE

It is the policy of Shelby County Government to maintain a drug free safe work environment. The unlawful manufacture, distribution, dispensing, possession, purchase, sale, transfer, or use of drugs or alcohol while on the job or in the workplace is strictly prohibited. Employees should not be under the

influence of drugs or alcohol during their work hours for Shelby County regardless of whether those drugs or alcohol were consumed prior or during work hours.

EQUAL EMPLOYMENT OPPORTUNITY

Shelby County Government is an Equal Opportunity Employer and has an Affirmative Action Program in place. This program is administered by The Shelby County Office of Equal Opportunity Compliance, which reports directly to the Shelby County Board of Commissioners.

The Office of Equal Opportunity Compliance (EOC)

The County EOC Office is located in Room 969 of the Shelby County Administration Building (160 N. Main Street Mall, Memphis, Tennessee, 38103) Phone: 545-4336.

The Office of Equal Opportunity Compliance monitors compliance with rules, regulations, and guidelines established to ensure fair employment practices. The office is available to all employees and to those seeking employment with Shelby County Government for resolution of perceived acts of discrimination, in accordance with the provisions of Title VII of the Civil Rights Act of 1964, as amended. It is an unlawful employment practice to discriminate against any individual because of race, color, religion, sex, or national origin. EOC also takes complaints filed under the Age Discrimination Employment Act of 1967, the Equal Pay Act of 1963, the Americans with Disabilities Act of 1992, Section 504 of the Rehabilitation Act of 1973, the American Disability Act of 1992, the Tennessee Fair Employment Practices Law, and the Tennessee Handicap Law Discrimination.

Sexual discrimination, including harassment, hostile environment, exchange of favors for pay, differences in pay based on sex, or any adverse employment decision based on sex is forbidden.

Prohibition of Discrimination and Equal Opportunity Compliance

Equal employment opportunity shall be assured in the County system and affirmative action shall be provided in its administration. Discrimination against any person in recruitment, examination, appointment, training, promotion, retention, discipline, or any other aspect of personnel administration because of race, color, sex, national origin, age, creed, religion, disability, or other non-merit factors are prohibited. Equal employment opportunity shall be ensured through an Affirmative Action Plan. The Administrator of the Office of Equal Opportunity Compliance shall be responsible for overall implementation of the Affirmative Action Plan.

All employees shall be compensated in line with the provisions of the Equal Pay Act of 1963 as amended.

Equal Opportunity Compliance Complaint Discrimination Procedure:

- All complaints must be filed within 180 days of the alleged discriminatory act;
- EOC will notify, in writing, the appropriate department head of a formal charge;
- An investigation will be conducted;
- The EOC administrator will review the findings, make a determination, and recommend possible solutions;
- The findings and recommendations are forwarded to the chairperson of the Shelby County Board of Commissioners for review. They are then forwarded to the Mayor or the elected official who has jurisdiction over the respondent department;
- The complainant and the appropriate department head are notified by EOC regarding the determination and any recommendations;
- Steps are taken to implement the recommendations.

HARASSMENT POLICY

Applies to all employees of Shelby County Government and to all Shelby County elected officials. Shelby County Government encourages reporting of all allegations of harassment regardless of whom the offender may be, in accordance with the method set out in the Harassment Complaint Procedures.

GENERAL POLICY

Shelby County Government has long been committed to providing its employees with a work environment that is free of discrimination, including harassment, on the basis of any legally protected status. Accordingly, Shelby County Government prohibits any form of discrimination, including harassment based on sex, race, color, religion, national origin, age, gender, disability or other status protected by law is prohibited. Shelby County Government is committed to maintaining a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere, which promotes equal opportunity and prohibits discriminatory practices, including harassment. Harassment, whether at the work site or in other work settings, whether verbal, physical or environmental, is unacceptable and will not be tolerated.

SEXUAL HARASSMENT

Definition – Behavior that includes, but is not limited to **unwelcome** sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature **when**

- (1) Submission to such conduct is made either implicitly or explicitly a term or condition of employment; or

- (2) Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual; or
- (3) Such conduct has the purpose or effect of unreasonably interfering with the individual's work performance or creating an intimidating, hostile, or offensive working environment.
- (4) Examples of such behavior include, but are not limited to:
 - unwanted sexual advances;
 - unwelcome letters, phone calls, or materials of a sexual nature;
 - unwelcome pressure for dates;
 - demands for sexual favors in exchange for favorable treatment or continued employment;
 - repeated sexual jokes or humor with sexual overtones;
 - unwanted flirtations;
 - unwelcome sexual advances or propositions;
 - verbal abuse of a sexual nature;
 - graphic or verbal commentary about an individual's body, sexual prowess or sexual deficiencies;
 - leering, whistling, pinching, or other inappropriate touching;
 - unnecessary touching or brushing against another's body;
 - attempted or actual kissing or fondling;
 - implied or overt sexual threats;
 - sexual assault, coerced sexual acts, or rape;
 - suggestive, insulting, obscene, or demeaning comments or gestures of a sexual nature; or
 - display in the workplace of sexually suggestive objects or pictures.

Behavior included in the above section of examples of behavior or similar in nature is unacceptable whether it occurs in the workplace itself or in other work-related settings such as

business trips, training seminars and other County related events.

Sexual harassment can involve conduct from male to female, female to male, female to female, or male to male. Sexual harassment can occur from supervisor to subordinate, subordinate to supervisor, coworker to coworker, non-Employee to Employee and vice versa.

CONSENTING ROMANTIC AND/OR CONSENTING SEXUAL RELATIONSHIPS

1. Coworkers — Consenting romantic and/or consenting sexual relationships between employees or between a supervisor or management representative and his/her subordinate may lead to unforeseen complications. Each Employee should be aware of the possible risks of even a consensual romantic and/or sexual relationship.

An Appropriate Management Representative within the work unit may alter the responsibilities or assignments of coworkers engaged in a consenting relationship to diminish the professional contact they may have with each other when there is even a remote possibility that such a relationship could interfere with the performance of work duties or interfere with the overall productivity of any work unit.

2. Supervisor/Management Representative/Subordinate — Consenting romantic and/or consenting sexual relationships between a supervisor or management representative and his/her subordinate are strictly prohibited.

Sexual Favoritism – Employment decisions based on sexual favoritism are strictly prohibited.

RACE, COLOR, RELIGION, NATIONAL ORIGIN, AGE, GENDER OR DISABILITY HARASSMENT

1. Race, Color, Religion, National Origin, Age, Gender or Disability Harassment Definition — Behavior reasonably be perceived as denigrating or showing hostility toward an individual because of the individual's race, color, religion, national origin, age, gender, disability or other status protected by law.

Examples of such harassment could include, but are not limited to:

- Oral or written epithets, slurs, negative stereotyping or intimidating acts based on an individual's protected status;
 - Gestures or conduct rooted in prejudice or other considerations that signal contempt toward others based on the individual's protected status;
 - Circulating or posting of writing or graphic materials that show hostility toward an individual because of his or her protected status.
2. Investigation of Race, Color, Religion, National Origin, Age, Gender or Disability Harassment — Shelby County Government's Office of Equal Opportunity Compliance will continue to have primary responsibility for investigation and resolution of such complaints.

HARASSMENT COMPLAINT PROCEDURES

1. Notification of Complaint — An Employee of Shelby County Government has available four (4) basic avenues for making a harassment complaint. They are: (1) Notification of the Offender, (2) Notification of Appropriate Management Representative within the work unit, (3) Notification of Shelby County Human Resources Department, (4) Notification of Shelby County EOC.

Employees are encouraged to utilize any or all of these internal methods of notification.

- a. Notification of Offender — Any Employee who believes that he or she is being harassed in violation of this policy is encouraged to clearly and promptly notify the offender that his/her conduct is unwelcome.
- b. Notification of Appropriate Management Representative within the work unit — If the Employee is uncomfortable with speaking with the offender, or if the confrontation does not end the harassment, he/she should notify one (or more) of the following:
 - Immediate Supervisor; or
 - Department Manager; or
 - Department Administrator; or
 - Division Director (or comparable classification within an elected official's organization); or
 - Elected Official (or his/her designee)
- c. Shelby County Human Resources Administrator — At any point, an individual may report the conduct directly to the Shelby County Human Resources Administrator at 545-4270.
- d. Shelby County Equal Opportunity Compliance Office — An Employee may contact the Shelby County Equal Opportunity Compliance office at 545-4336, with questions, concerns, or complaints concerning harassment.

EMPLOYEES MAY USE ANY OF THE NOTIFICATION OPTIONS LISTED ABOVE. AN EMPLOYEE MAY UTILIZE ANY OTHER METHOD OF NOTIFICATION MECHANISM AVAILABLE UNDER STATE OR FEDERAL LAW.

2. Management Representative's Responsibility Upon Receipt of Harassment Complaint — A Management Representative has three (3) responsibilities upon receipt of an oral or written complaint of harassment:

- a. If a Management Representative receives a harassment complaint, he or she must immediately (before the close of business) notify the Human Resources Administrator.
- b. A Management Representative must obtain or prepare a written description of the conduct. The Appropriate Management Representative should make an effort to have the complaint signed by the complainant, however a signature is not required. In the event the complainant should not wish to sign the complaint, the refusal to sign should be documented.
- c. A Management Representative must file a copy of the written description of the complaint with the Administrator of Shelby County Human Resources Department. The Management Representative should make every effort to submit such report with Human Resources **within 2 work- days of the initial complaint.**

NOTE: Nothing in this policy is intended to interfere with the normal and customary chain of command required within an office.

3. Shelby County Human Resources Administrator's Responsibility Upon Receipt of Harassment Complaint — If at any time an individual makes a harassment complaint to the Shelby County Human Resources Administrator, the Administrator, or his or her designee, will obtain a written statement. Upon receipt of a harassment complaint, Shelby County Human Resources will promptly

notify the Appropriate Management Representative within the work unit.

4. Time for Employee Reporting Complaint of Harassment — Prompt reporting of complaints is strongly encouraged as it allows for rapid response and resolution of objectionable behavior or conditions of the complaining individual and any other affected employees.

CONFIDENTIALITY

To the extent possible and consistent with ascertaining the facts, complaints will be processed confidentially, but all complaints will be investigated in the manner described in these policies.

PROTECTION AGAINST RETALIATION

Retaliation against any employee making a harassment complaint or assisting in an investigation is strictly forbidden. Retaliation is a serious violation of this policy and should be reported immediately in accord with the Complaint Procedures as described above. Any person found to have retaliated against an individual will be subject to discipline.

EMPLOYEES MAY HAVE ACCESS TO A COMPLETE COPY OF THIS HARASSMENT POLICY THROUGH THEIR IMMEDIATE SUPERVISOR OR THE COUNTY'S HUMAN RESOURCES DEPARTMENT.

AMERICANS WITH DISABILITIES ACT

Shelby County Government operates under Titles I and II of the Americans with Disabilities Act of 1990. This act prohibits

discrimination against individuals with disabilities in employment and requires full opportunity for their participation in offered services, programs, and activities. Questions, suggestions, and complaints may be directed to the ADA Coordinator at 545-4909. Shelby County employees or applicants for employment with Shelby County Government who wish to file a complaint under the provisions of this act may do so through the Shelby County Office of Equal Opportunity Compliance at 545-4336.

GENERAL PERSONNEL POLICIES

ATTENDANCE AND TARDINESS

Regular attendance and being at the workstation ready to work at the start of the work period are essential parts of any job performance. It is an important factor in determining promotions, transfers, and pay raises.

If an employee is going to be absent or late, he or she must call the supervisor with as much advance notice as possible or according to departmental policy, but always by the time work is scheduled to begin. Another member of management should be contacted if the supervisor is not available. Notifying a non-management employee is unacceptable unless allowed by department policy.

Poor attendance, tardiness, and improper reporting of absenteeism or tardiness are grounds for disciplinary action, which may include termination.

If an employee fails to call in or report for three (3) consecutive workdays, he or she will be considered to have abandoned the job, and appropriate disciplinary action will be taken, including possible termination.

CAREER COUNSELING

Career counseling is available from the Human Resources Department upon request. Individuals can be assisted in defining their training and education needs, setting personal goals, and identifying County jobs for which they want to prepare themselves.

COUNTY PROPERTY

All County property must be returned at the time of job severance prior to receipt of final paycheck.

Such County property might include keys, identification cards, uniforms, safety equipment, work tools, or a vehicle for use during term of employment.

DEPARTMENT WORK RULES

Although all departments operate under Countywide rules as set out in the Shelby County Personnel Management System, each department has specific rules that are unique to the needs of that department in carrying out its responsibilities. These rules are generally more specific procedures and guidelines in accordance with Countywide policy.

DRESS AND APPEARANCE

As a County Government employee who provides vital services to the community, appropriate dress and appearance that reflect a professional appearance are required.

Men in office situations are encouraged to wear coats and ties and are required to when dealing with the public.

Women are encouraged to wear dresses, suits, or coordinated pants outfits and are required to wear appropriate business dress when dealing with the public.

Employees who work in the field, those who require uniforms, and others in similarly situated jobs, are exempt from wearing normal business attire, but should always dress in appropriate well-maintained clothing or uniforms.

Daily grooming and hygiene are required of every employee.

PROHIBITION AGAINST VIOLENCE

Shelby County Government does not tolerate any form of violence. This includes any type of physical or verbal attack on anyone in the workplace.

Shelby County expects respectful behavior at all times toward all persons in the workplace including co-worker and citizen customers. Any form of violence or failure to act in a respectful way towards any person in the workplace will subject employees to disciplinary action.

EMPLOYEE IDENTIFICATION CARDS

Employee Identification Cards are required for all regular or durational (full-time and part-time) employees. These cards are provided as follows:

1. Identification Cards are free to new employees and are made at the time of the Orientation Program;
2. New, updated, or replacement cards will be made only upon written approval from the employee's department head or elected official;
3. There is a nominal cost for a replacement card that is to be paid by the employee in advance;
4. New, updated, or replacement cards will be made at 8:30 a.m. each Tuesday and Friday in the Human Resources Department, Room 901, Shelby County Administration Building.

The new card will be sent to the department and given to the employee with instructions about how it should be worn.

EMPLOYEE ORGANIZATIONS

Every employee shall have the right to join or refrain from joining an organization for purposes of representation. The nature and extent to which organizations may represent member employees and the right of collective bargaining, if any, shall be in accordance with the laws of the State of Tennessee and of the internal administrative policy of the respective elected official. No applicant shall be refused employment, nor shall any employee be discriminated against by virtue of being a member or not being a member of a labor or other collective bargaining organization.

The County will deduct dues only from employee members of bargaining units covered by a Memorandum of Understanding or as otherwise specified by state law.

EXIT INTERVIEW

The Shelby County Human Resources Department, upon request of a department administrator or employee, will conduct an exit interview for any regular or durational employee at the time of termination. This interview will determine the employee's reasons for leaving Shelby County Government, and he or she will be encouraged to express opinions about his/her employment.

INCLEMENT WEATHER

Only the Elected Official or his/her designee may authorize a general excused absence because of weather conditions.

If not authorized, such absence will be deducted from existing accumulated annual leave, bonus days, or compensatory time, whichever the employee desires. Lack of such leave will prohibit the employee from being paid for hours missed.

Sick leave cannot be used to cover an inclement weather absence, unless the employee is sick and can document it in writing from a physician if requested to do so.

MASTER PERSONNEL FILE

Master Personnel Files are a public record and are kept in the Shelby County Human Resources Department located in Room 901 of the Shelby County Administration Building. These are the permanent records of each employee and contain basic employment information, the employee's current home address, telephone number, and person to notify in case of an emergency. It is the employee's responsibility to keep this information current at all times.

During normal work hours and upon presentation of proper identification, an employee may review his or her file in the Human Resources Department. Copies of any documents from a file are available at a nominal cost per page.

ORIENTATION AT TIME OF EMPLOYMENT

A special orientation session is held for all new regular and durational (full-time and part-time) employees on the first

work day of each semi-monthly pay period. Shelby County policies, procedures, benefits, and other employment matters are explained. Identification cards are made and payroll paperwork is completed. This orientation is conducted by the Human Resources Department.

PERSONNEL POLICY MANUAL

All departments have a complete copy of the Shelby County Government Personnel Management System, which in its three volumes contains the basic personnel policies for Shelby County Government.

With proper notice and at a convenient time and place, any employee may review any of the volumes. Many of the policies in these volumes are condensed in this Handbook.

These three policy volumes may also be reviewed in the Human Resources Department during working hours.

POLITICAL ACTIVITY

An employee has the right to express freely his/her view as a citizen and to cast his or her vote. Coercion for political purposes of and by employees and use of their positions for political purposes is prohibited.

Employees in federally grant-aided programs may be covered by prohibitions listed under the Hatch Political Activities Act, as amended, and they may be prohibited from participation in partisan political activity and are subject to all other prohibitions of the Hatch Act.

SECONDARY EMPLOYMENT ("MOONLIGHTING")

If there is no conflict of interest, appearance of a conflict of interest, or impairment of work performance for Shelby County, secondary employment may be permissible if a written request describing the work and hours of work has been approved in writing by the appointing authority. Failure to receive prior written approval for secondary employment may result in disciplinary action and/or refusal to grant permission to continue the secondary employment.

SMOKING

All Shelby County Government facilities are smoke-free. Violation of this regulation will subject the employee to disciplinary action.

All smoking must be done outside County government facilities.

VOTING

Employees are encouraged to exercise their constitutional right to vote in all elections and to participate in early voting if available.

Under state law, employees are allowed a "reasonable period of time" to vote on election day if the starting time for work begins less than three hours after the opening of the polls and ends less than three hours before the closing of the polls. Any time taken off to vote must be approved by the department head and must follow departmental procedures.

DISCIPLINARY AND GRIEVANCE PROCEDURES

GROUND'S FOR DISCIPLINARY ACTION

County employees are expected to maintain a high standard of conduct, cooperation, efficiency, and economy in their work and to correct any faults in performance. Employees also are to avoid behavior and actions that conflict with County rules or regulations.

When work is unsatisfactory or County rules or regulations are violated, disciplinary action may be taken. If disciplinary action is taken, it will be documented in writing stating the reason for discipline, the level of discipline, and the date it takes effect. An employee will be asked to sign the disciplinary form only to show that he or she has received it. A copy of this notice will be placed in the master personnel file.

MAJOR AND MINOR OFFENSES

There are two types of disciplinary offenses: major and minor. Major offenses normally warrant a higher level of disciplinary action and do not generally follow progressive discipline.

Offenses that are considered major for disciplinary purposes include, but are not limited to:

- Violation of the County's residency requirement;
- Conviction of a job-related felony;
- Acts of insubordination;
- Intentional failure to carry out instructions or willful disregard of lawful orders;
- Misappropriation, destruction, theft and/or conversion of County property;

- Neglect or carelessness resulting in damage to County property;
- Acts of misconduct while on duty or in uniform;
- Absence without authorized leave;
- Falsification of any information required by the County;
- Failure to report accidents or personal injuries;
- Possession, use, or being under the influence of drugs or alcohol while on the job;
- Acts of incompetence;
- Habitual tardiness and/or habitual absenteeism not covered by law;
- Selling, distributing, using or being under the influence of alcohol or illegal drugs while on the job.

Minor offenses cover other rule violations and conduct not categorized as major. Minor offenses usually require progressive discipline.

PROGRESSIVE DISCIPLINE

Discipline is usually given in a progressive manner unless the offense is major. Formal progressive discipline can be a five-step process:

- Step 1 Discussion and counseling;
- Step 2 Oral reprimand;
- Step 3 Written reprimand;
- Step 4 Or any combination of the following:
 - Suspension without pay for a period not to exceed 30 calendar days
 - Reduction in pay within the pay range of the classification
 - Demotion to a lower classification
 - Disciplinary probation
- Step 5 Dismissal

PRE-DISCIPLINARY HEARING

When discipline that can be appealed to the Civil Service Merit Board is being considered, an administrative hearing will be held prior to the determination of the discipline to allow the employee to present his or her position on the matter.

SUSPENSION

The Appointing Authority may suspend an employee for just cause for a period not to exceed 30 calendar days, unless court action is pending, in which case the suspension may be extended until the court action is resolved. A suspension without pay for more than ten (10) working days may be appealed to the Civil Service Merit Board.

An employee who has been charged with a criminal offense may be suspended without pay pending an investigation and/or resolution of the charge.

TERMINATION

A classified civil service employee may be dismissed for just cause, and any termination for cause can be appealed to the Civil Service Merit Board, if the employee has successfully completed new employment probation. A termination may be voluntary (resignation) or involuntary (discharged for cause.) The termination date is the effective date of the resignation or discharge as approved and recorded in the Master Personnel File.

APPEALS OF DISCIPLINARY ACTION

There are two types of appeals of disciplinary action:

1. **Administrative Grievance Procedure** - For appeals of any disciplinary action that cannot be appealed to the Civil Service Merit Board;

(The procedure for filing an Administrative Grievance is outlined on page 35.)

2. **Civil Service Merit Board** - For discipline involving a demotion in rank or compensation, suspension without pay for more than ten (10) days and termination.

To be eligible for a Civil Service Merit Board appeal, an employee must file a written request with the Administrator of Human Resources within seven calendar days of receipt of the written notice of the disciplinary action.

Within 30 days of the filing of an appeal, the Board will schedule a hearing on the matter. An employee is entitled to appear, have a public hearing, produce evidence, and be represented by legal counsel or another person other than themselves. At the end of the hearing, the Board will deliberate and publish its decision. The Board may affirm, modify, or revoke the discipline.

Within sixty (60) days following publication of the decision of the Board, either party may appeal the decision to Chancery or Circuit Court.

NOTE: Meetings of the Civil Service Merit Board are open public meetings under state law.

ADMINISTRATIVE GRIEVANCE PROCEDURE

The Administrative Grievance Procedure may be used to grieve any complaint affecting status or conditions of employment that are not subject to Civil Service Merit Board appeal. This procedure is designed to resolve such problems or issues at the lowest management level possible.

The procedure is usually a three or four-step process that should always start at the lowest appropriate step. Most administrative grievances follow the following steps:

(NOTE: If formal discipline has been given, the first step is the next level of management above the person issuing the discipline.)

ALL GRIEVANCES MUST COMMENCE WITHIN THREE (3) WORKING DAYS OF THE DECISION OR ISSUE THAT IS BEING GRIEVED.

Step 1: **Supervisor** - Discuss the matter first with an immediate supervisor to effect a settlement;

Step 2: **Next Level of Supervision** - Grievances not settled satisfactorily at the first step must then be presented in writing to the next level of supervision within three (3) working days of the initial discussion of the grievance;

The supervisor shall write his or her disposition of the grievance and send copies to the employee and the department head within two (2) working days of receipt of the grievance.

Step 3: **Department Administrator** - If the grievance is not resolved at Step 2, the grievance then can be presented in writing to the department administrator for review within five (5) working days. The department administrator will then give a written response to the employee of his or her findings within a reasonable

time frame. A decision as to whether a hearing is necessary is made by the administrator;

Step 4: **Administrator of Human Resources/Elected Official** - If the department administrator is unable to resolve the grievance to the employee's satisfaction, the employee may file a written request for disposition of the case with the Administrator of Human Resources (acting as designee of the elected official) within three (3) working days of receipt from the department administrator of his or her written response.

An investigatory meeting may be called if the Administrator of Human Resources or his or her designee is unable to resolve the grievance satisfactorily based on the documented evidence submitted. All of the facts will be gathered and presented in a written report to the elected official, who will make the final decision.

An employee may seek legal redress if he or she is not satisfied with the outcome of the grievance.

Employee grievances will be considered promptly and adjusted equitably. Whenever possible, the cause of grievances should be addressed informally. Both supervisors and employees are expected to make every effort to resolve problems and disputes as they arise.

BENEFITS

Shelby County Government provides comprehensive benefits for all regular and durational employees. For most employees, these benefits are valued to as much as 40% of base salary. Efforts to maintain quality benefits are ongoing and will continue to be a primary concern of Shelby County Government.

A number of benefits and benefit options are offered to employees through Shelby County's Flexible Benefit Plan, which allows the employee contribution to be paid with pre-tax earnings. Under this program, changes in benefit plans may be made only once a year during an annual open enrollment period, unless there is a change in family status as specified in the Plan's guidelines.

Employee benefits are subject to change at any time by action of the County Board of Commissioners in accordance with the law.

Shelby County employees who are eligible for benefits have several important responsibilities to ensure the full provisions of these plans. They are:

- To keep a current list on file with the Shelby County Employee Benefits Office of all dependents an employee covers under the chosen Health Plan. Information required includes: name, address, age, social security number, and proof of relationship;
- To keep current the beneficiary or beneficiaries on file for life insurance and/or Plan B of the Shelby County Retirement System;

- To complete an application and provide proof of relationship within 30 days in order to have coverage of a new dependent;
- To notify the Employee Benefits Office when dependent(s) reach 19, marry, or are no longer a full-time student (12 semester/quarter hours or more in an accredited college or university) or attain 25 years of age even though they remain a full-time student;
- To notify the Employee Benefits Office of divorce or legal separation. This affects extension of benefits as well as present health coverage. Should benefits be paid on behalf of an ineligible dependent, the employee is responsible for reimbursing all of the claim expense to the health plan;
- In the event an employee is on leave without pay or misses a benefit payroll deduction, the employee must make direct payments of premiums to the Employee Benefits Office each month to keep the benefits in effect during the period he or she is off work.

The above changes are to be made with your department payroll clerk within the specified time as indicated above.

All County benefits are administered through the Shelby County Employee Benefits Office, Room 949 of the County Administration Building (160 N. Main Street Mall, Memphis, Tennessee, 38103. 545-4483).

MANDATORY INSURANCE

Health and life insurance are mandatory for all regular and durational full-time employees at the time of employment. It is optional for part-time regular and part-time durational employees.

A "no coverage" option allows full-time employees to withdraw from the health insurance program when they have comparable coverage from other sources outside the County. An application for withdrawal can be submitted upon employment or during the annual open enrollment period. A change in family status as specified under the County's Flexible Benefit Plan may also permit withdrawal.

Health Insurance

The County offers a choice of two self-insured health plans:

1. The Shelby County Employee Health Care Plan, administered by General American;
2. CIGNA Health Care Point of Service.

An employee should take time to review these options thoroughly before making a selection. The County health care program was restructured in 1996, and employees now have a more affordable array of plan options. The plans are self-insured as are most large group plans; this saves premium dollars for the employee and for the County. Just as these plans have been designed to help keep up with national trends in health care, future comparisons will be watched as they develop so that updates may be made to the County program.

IMPORTANT NOTICE CONTINUATION OF HEALTH INSURANCE

In accordance with federal laws, an employee and his or her dependents are entitled to elect to remain in the employer group health plan after it would normally end without proof of insurability. There will be no employer contributions for this extended coverage. The duration of coverage is as follows:

- Covered dependents who are terminated from the health plan because of divorce or death of the employee or Medicare - 36 months;
- Covered dependent children who would lose coverage because of their ineligibility - 36 months;
- Loss of coverage through:
 - a. reduction in hours - 18 months;
 - b. termination (other than for gross misconduct) - 18 months;
 - c. lay-off for economic reasons - 18 months;
 - d. voluntary resignation - 18 months;
- Employees and covered dependents who have been determined to be disabled under the Social Security Act may continue coverage for 29 months. The disability must exist prior to the date of the qualifying event and the member must provide notice of the disability determination to the employer within 18 months and no later than 60 days after the date of the Social Security Administration's determination.

If an employee elects to exercise the right to continue group coverage, he or she must notify the Employee Benefits Office in writing within 60 days or coverage will end. In the case of divorce, legal separation, or a dependent child ceasing to be a dependent child, IT IS THE EMPLOYEE'S RESPONSIBILITY TO NOTIFY the Employee Benefits Office in writing within 60 days of the event in order to be eligible for

continuation of group coverage. For more information, contact the Employee Benefits Office.

Complete details on each plan are found in booklets provided at orientation and available at the Employee Benefits Office.

INTERIM INSURANCE FOR EMPLOYEES WITH TEN YEARS OF PENSION SERVICE AND WHO ARE VESTED AND APPROVED FOR DEFERRED PENSION UNDER THE RETIREMENT SYSTEM

An employee with ten years of pension service and who is vested and approved for a deferred pension under the Retirement system has a ONE-TIME OPTION to continue health coverage under the Shelby County Health Care Plan for the interim period beginning at the date of termination and ending upon receipt of the first pension benefit. This coverage is called "Interim" coverage.

In order to exercise the ONE-TIME OPTION, an employee must notify the Shelby County Employee Benefits Office in writing of the intent to continue coverage for the vested employee and dependents, if any, within 60 days of the date of termination. Premiums must be paid to the employer for coverage during the period preceding the exercising of the option within 45 days of the date the option is exercised. Participant pays full premium cost at the under-65 retiree rate including any portion of premium previously paid by the County.

Complete details are available by calling the Employee Benefits office at 545-4483.

LIFE INSURANCE

The County has a group-term life insurance plan that provides a death benefit. Coverage is based on two times the amount of an employee's annual salary, rounded to the next highest thousand dollars, to a maximum of \$350,000 of protection. The amount of coverage is reduced to 65% at age 65. When an employee reaches age 70 or when he or she retires, whichever occurs earliest, this insurance will be reduced by 50 percent of the scheduled amount that an employee had before the age of 65. Coverage may vary for some part-time employees. For detailed information, a plan booklet is available at the Employee Benefits Office. Coverage is mandatory for regular and durational employees, optional for part-time employees.

TRIP INSURANCE

All active, full-time, and regular part-time employees of the County are covered by accidental death and dismemberment insurance (AD&D) while traveling on County business outside of the city or town in which regularly employed. The premium is paid entirely by Shelby County Government. To be covered, the trip must have approval in advance by the employee's appropriate supervisor. Beneficiaries are eligible to receive \$100,000 in accidental death benefits and lesser amounts for dismemberments that occur from such travel. The principal sum is reduced at age 70 and after. Beneficiary designation cards for this insurance are available in the Benefits Office and are retained there upon completion.

SUPPLEMENTARY (VOLUNTARY) INSURANCE

These insurance plans are made available to supplement other insurance (An employee pays 100 percent of the premium):

LONG-TERM DISABILITY INSURANCE

This coverage provides continuation of income for personal (non-job related) medical disabilities that exceed 90 days. The plan provides for as much as 60 percent of monthly salary (Plan I maximum \$1,000 per month; Plan II maximum \$5,000 per month) to be paid after the first 90 days of the disability period. These benefits are coordinated with Social Security and County pension benefits as well as any other income received while disabled. Only full-time regular and durational employees are eligible for this coverage. Coverage is guaranteed when enrollment is within 30 days of employment. Additional details are in the plan booklet, which is available from the Employee Benefits Office;

CANCER/INTENSIVE CARE INSURANCE

This coverage is a supplement to the basic hospitalization plan and applies to special medical circumstances. This plan is offered through an independent agent, who will provide information about the plan and its benefits upon request. There is an "open enrollment period" each year when changes in coverage are available to current employees;

DENTAL INSURANCE

The carrier offers two Plans of dental benefits. Enrollees have the option to participate in a plan allowing the patient to select any dentist for service or a plan that provides a dentist from the plan's network of member dentists. Coverage is provided through an independent agent who will provide details upon request. Enrollment information is given at orientation and by the Employee Benefits Office;

DEPENDENT LIFE COVERAGE

Optional coverage for eligible dependents (spouse and children) is available under the County's mandatory group-term life insurance plan at a flat premium rate per month regardless of the number of eligible dependents. Additional details are given at orientation and through the Employee Benefits Office;

ACCIDENT AND SICKNESS INSURANCE

This coverage provides payment of weekly benefits in the event of lost time for personal accident or sickness. Coverage is provided up to 365 days. Additional details are given at orientation and are available in the Employee Benefits Office. This plan is offered through an independent agent.

ACCIDENTAL DEATH AND DISMEMBERMENT (AD&D)

Coverage of \$25,000 to five times base earnings is available. Spouse and dependent children may also be insured. The plan provides 24-hour year round accident protection, plus a hospital indemnity feature. This plan is offered through an independent agent. Details are given at orientation, annual open enrollment and by the Employee Benefits Office.

SUPPLEMENTAL HOSPITAL INCOME PLAN (H.I.P.)

Coverage begins the first day of hospital confinement that results from a covered sickness or injury. Coverage lasts for the length of hospital stay up to 365 days, if necessary. Three benefit levels of hospital income are offered. Plan is designed for those who need the security of additional income for expenses. Coverage is offered by an independent agent. Details provided at new employee orientation, by Employee Benefits Office or the agent.

VOLUNTARY, OPTIONAL TERM LIFE INSURANCE

Additional life insurance is available up to \$150,000 depending on annual earnings. Coverage can not exceed five times annual earnings. Guaranteed issue of coverage is available if enrolled when first eligible. Plan is offered through UNUM Life Insurance Company of America. Details are provided at new employee orientation, annual open enrollment and by the Employee Benefits Office. Employees pay 100% of premium.

SHELBY COUNTY RETIREMENT SYSTEM (Pension)

The retirement system consists of two plans, Plan A and Plan B. All employees hired after December 1, 1978 are automatically participants in Plan A. Some employees on board prior to December 1, 1978 exercised their option to join Plan A.

Plan A is a non-contributory pension plan and does not require the employee to pay Social Security tax. However, all employees hired after April 1, 1986 are required to pay the MQFE tax, which is the Medicare portion of Social Security.

A small number of employees hired before December 1, 1978 participate in Plan B and are currently required to make an eight percent tax deferred contribution from their base salary.

The Retirement System of Shelby County is administered by the Retirement Board, which is composed of elected officials, employee representatives, citizens at large, and retirees. Any change in the Retirement System requires a resolution approved by the Shelby County Board of Commissioners.

Information on the Plan A Retirement System is distributed at orientation and is available in the Retirement Office. Plan B information is also available in the Retirement Office in suite 950.

At time of retirement, an employee has a one-time option to continue life and health insurance benefits. Some optional benefits may also be continued. The Board of Commissioners can change all retiree health benefits at any time for all employees.

LEGAL HOLIDAYS

Holiday pay shall only be given to regular or durational (part-time or full-time) employees. Temporary employees do not earn holiday pay.

The County observes the holidays listed below unless otherwise specified by bargaining unit; most County facilities are closed on these days:

New Year's Day	January 1;
Dr. Martin Luther King, Jr.'s Birthday	Third Monday in January;
Good Friday	Friday before Easter Sunday;
Memorial Day	Last Monday in May;
Independence Day	July 4;
Labor Day	First Monday in September;
Veterans Day	November 11;
Thanksgiving Day (2 days)	Fourth Thursday in November & Fourth Friday in November;
Christmas Day (2 days)	December 25 - plus one day.

<u>When December 25 falls on:</u>	<u>The following are holidays:</u>
Monday, Tuesday	Monday, Tuesday
Wednesday	Tuesday, Wednesday
Thursday, Friday	Thursday, Friday
Saturday, Sunday	Friday, Monday

When a legal holiday falls on Saturday, offices will be closed the preceding Friday; when it falls on Sunday, offices will close the following Monday.

For regular employees whose workweek is other than Monday through Friday or those employees who must work because of necessary emergency operations, the department administrator shall designate the day(s) that the holiday will be observed. Any employee who shall be required to perform

work on a scheduled holiday and is unable to receive a compensatory day of leave shall receive appropriate compensation.

Any employee on leave without pay the day before or after a holiday shall not be paid for the holiday(s).

ANNUAL LEAVE

ANNUAL VACATION LEAVE WITH PAY

Annual leave is granted to full-time, part-time, and durational employees in recognition of the need for periodic vacation time away from the job.

Definitions:

Credited - Earned leave that is computed on the employee's record;

Accrual - Leave that is earned but not necessarily recorded on the employee's record;

Earned - Leave that an employee is legally entitled to whether it is recorded or not on the employee's record.

EARNING ANNUAL LEAVE

Eligibility:

1. All classified/unclassified full-time and part-time regular and durational employees are eligible to earn and use annual leave with the exception of the Chief Administrative Officer, County Attorney, and Division Directors (under the Mayor's administration);
2. Elected officials do not earn or accrue annual leave;
3. New employees must successfully complete new employment probation before credited annual leave is earned;
4. Temporary, provisional, and emergency employees do not earn annual leave;

5. Annual leave will be earned according to the following schedule:

	Days Earned Per Year	37.5 hr. Employee Per Month	40 hr. Employee Per Month
After the first year through the 5th year	10 days	6.25 hrs. or 6 hrs. 15 mins.	6.664 hrs. or 6 hrs 39 mins.
From the beginning of the sixth year	11 days	6.875 hrs. or 6 hrs. 52 mins.	7.33 hrs. or 7 hrs. 21 mins.
From the beginning of the seventh year	12 days	7.5 hrs. or 7 hrs. 30 mins.	8.0 hrs. or 8 hrs.
From the beginning of the eighth year	13 days	8.125 hrs. or 8 hrs. 7.5 mins.	8.66 hrs. or 8 hrs. 39 mins.
From the beginning of the ninth year	14 days	8.75 hrs. or 8 hrs. 45 mins.	9.33 hrs. or 9 hrs. 21 mins.
From the beginning of the tenth year	15 days	9.375 hrs. or 9 hrs. 22.5 mins.	10.0 hrs. or 10 hrs.
From the beginning of the eleventh year	16 days	10.0 hrs. or 10 hrs.	10.66 hrs. or 10 hrs. 39 mins.
From the beginning of the twelfth year	17 days	10.625 hrs. or 10 hrs. 37.5 mins.	11.33 hrs. or 11 hrs. 21 mins.
From the beginning of the thirteenth year	18 days	11.25 hrs. or 11 hrs. 15 mins.	12.0 hrs. or 12 hrs.
From the beginning of the fourteenth year	19 days	11.875 hrs. or 11 hrs. 52.5 mins.	12.66 hrs. or 12 hrs. 39 mins.
From the beginning of the fifteenth year through the sixteenth year	20 days	12.5 hrs. or 12 hrs. 30 mins.	13.33 hrs. or 13 hrs. 21 mins.
From the beginning of the seventeenth year through the eighteenth year	21 days	13.125 hrs. or 13 hrs. 7.5 mins.	14.0 hrs. or 14 hrs.

	Days Earned Per Year	37.5 hr. Employee Per Month	40 hr. Employee Per Month
From the beginning of the nineteenth year through the twentieth year	22 days	13.75 hrs. or 13 hrs. 45 mins.	14.66 hrs. or 14 hrs. 39 mins.
From the beginning of the twenty-first year through the twenty-second year	23 days	14.375 hrs. or 14 hrs. 22.5 mins.	15.33 hrs. or 15 hrs. 21 mins.
From the beginning of the twenty-third year through the twenty-fourth year	24 days	15.0 hrs. or 15 hrs.	16.0 hrs. or 16 hrs.
From the beginning of the twenty-fifth year and over	25 days	15.625 hrs. or 15 hrs. 37.5 mins.	16.66 hrs. or 16 hrs. 39 mins.

USE OF ANNUAL LEAVE

1. All new employees must **SUCCESSFULLY COMPLETE NEW EMPLOYMENT PROBATION** before annual leave can be earned or taken.
2. Annual leave is to be taken after it is earned. Annual leave days may not be credited or used in advance of accrual.
3. For record keeping purposes, annual leave accrued according to the schedules above may be posted to the master leave record on a 12-month basis.
4. No more than one-half a full year's accrual of annual leave can be carried over from one year to the next. At no time can an employee have accrued on his or her anniversary date or calendar year accrual date (whichever is applicable) more than one and one-half

times the amount of leave able to be earned in the current year.

FAILURE TO USE LEAVE THAT RESULTS IN THE ACCRUAL OF MORE THAN ONE AND ONE-HALF THE AMOUNT OF LEAVE THAT CAN BE EARNED IN ONE YEAR WILL RESULT IN AUTOMATIC LOSS OF ALL LEAVE ABOVE THE MAXIMUM ON THE DAY FOLLOWING THE COMPLETION OF THE EMPLOYMENT ANNIVERSARY YEAR OR THE CALENDAR YEAR ACCRUAL DATE, WHICHEVER APPLIES.

5. Annual leave is to be scheduled at the mutual convenience of the employee and management. Sufficient notice of request for leave by the employee must be given to allow adjustment in the department's work schedule.
6. An employee may not begin annual leave until the request is approved in writing by the Appointing Authority or his or her designee using the County's Request for Leave form.
7. Unless approved by the Appointing Authority, annual leave may not be taken less than one full week at a time. However, at least one full week of earned annual leave (five consecutive days) should be taken each year.
8. No annual leave will accrue in a month when an employee has been absent with or without pay more than 51% of the schedule work hours (excluding absences because of annual, bonus, compensatory time, or holidays).

ANNUAL LEAVE PAY POLICIES

1. There will be no pay in lieu of vacation, except at termination and AT THE TIME A CURRENT EMPLOYEE BECOMES AN ELECTED OFFICIAL, THE CHIEF ADMINISTRATIVE OFFICER, THE COUNTY ATTORNEY, OR A DIVISION DIRECTOR (under the Mayor's administration). Such pay in lieu of vacation will be calculated based on the last rate of pay earned while eligible to accrue annual leave;
2. Legal holidays falling within a period are not counted as vacation days;
3. Final Pay at termination:
 - a. Payment of final earnings because of termination will be made in one check NO LATER THAN the next pay date following termination. This payment will include all accrued annual, bonus, and compensatory time. This does not apply to any employee retiring under the Shelby County Retirement System;
 - b. Accrued but unused annual leave, bonus days, and compensatory time must be verified by the terminating department and forwarded to the Human Resources Department and a Leave Verification Form completed before such days are used for calculating final pay;
 - c. The last paycheck received by an active employee or an employee who is on approved leave will have applicable taxes and benefits taken from it. Any final paycheck for accrued annual leave will only have applicable taxes taken from it;

- d. It is the responsibility of the department to forward immediately to the Human Resources Department the appropriate forms that indicate termination as soon as the date of termination is known. This will allow time for the Human Resources Department and the Finance Department to verify leave and issue the final check. No payment for leave is permissible without a written resignation or other appropriate termination document;
 - e. Should accrued annual leave, bonus days, and/or compensatory time extend final pay for more than one pay period, the terminating department should pay out the employee with one check for all remaining pay;
 - f. The amount of the final pay will be charged to the appropriate salaries and labor account of the terminating department;
 - g. In no event will an employee at the time of job severance be paid vacation pay if he or she has not successfully completed the new employment probation;
 - h. The maximum amount of payout for annual leave at termination is one and one-half time the amount of leave the employee can earn in one year;
 - i. RETIRING EMPLOYEES ON CONTINUOUS TERMINATION LEAVE CANNOT ACCRUE ADDITIONAL LEAVE OF ANY KIND.
4. At the option of the employee, any earned annual leave may be used for National Guard or Military Reserve duty;

5. An employee has the option to use annual leave for long-term sickness, but only when all earned sick leave has been used and it is approved by the Appointing Authority;
6. When an employee directly transfers to County service from the City, Attorney General's Office, or Agriculture Extension Service, service credit is given for the purpose of determining accrual of annual leave. Accrued annual leave is not transferable;
7. No annual leave will accrue in a month when an employee has been absent with or without pay more than 51% of the schedule work hours (excluding absences because of annual, bonus, compensatory time, or holidays).

SICK LEAVE

Paid sick leave days are provided for employees as a form of insurance to prevent the loss of pay while an employee is absent from work for personal illness or injury.

Paid sick leave days are intended to cover a period of temporary disability when return to work is anticipated.

Each employee is responsible for being available for a maximum number of workdays to perform efficiently and effectively the work for which he or she is employed.

DEFINITIONS

Credited - Earned leave that is computed on the employee's record.

Earned - Leave that an employee is legally entitled to whether it is recorded or not on the employee's record.

ELIGIBILITY

All classified/unclassified regular and durational full-time and part-time employees are eligible to earn and use sick leave with the exception of the Chief Administrative Officer, County Attorney, and Division Directors of the Mayor. Elected officials do not earn sick leave.

USE OF SICK LEAVE

Sick leave benefits will commence on the first day of a temporary disability and can continue for as many as 12 months as long as sick leave credits remain and it is medically anticipated the employee will recover and be able to return to work within one (1) year of the date of initial absence, provided such leave is properly approved BY THE APPOINTING AUTHORITY. Regardless of the remaining amount of the accrued sick leave, the Temporary Disability Policy #807 will be followed after six months of absence because of an illness or injury.

Generally, an employee will be eligible for sick leave:

1. When he or she is incapacitated by personal sickness or injury to the extent that the employee cannot reasonably carry out his or her job responsibilities;
2. For routine medical, dental, and optical diagnosis and/or treatment when non-work hour appointments are not possible and when prior approval has been given by the Appointing Authority or his or her designee;
3. To make necessary arrangements for the care of a sick member of an employee's immediate family and, when necessary, to care temporarily for that family member until other means of care are available. The employee's immediate family is defined as one of the following:
 - a. Spouse;
 - b. Child, stepchild, or legally adopted child;
 - c. Parent or step-parent;
 - d. Brother or sister;
 - e. Any relative living in the home of the employee.

A department shall require an employee who wishes to use accumulated sick leave for an immediate family

member to file for department head approval. Documentation supporting said leave is required if leave is more than 20 days in a calendar year. The Human Resources Department shall provide the form to be used;

4. After exposure to a contagious disease, when certified by a qualified doctor that the employee may jeopardize the health of others;
5. For purposes of maternity leave.

Sick leave requires the written approval of the Appointing Authority or his or her designee using the County's Request for Leave form.

SICK LEAVE PAY POLICIES

UPON SUCCESSFUL COMPLETION OF NEW-EMPLOYMENT PROBATION, all full-time and part-time regular and durational employees shall be eligible UPON WRITTEN APPROVAL OF THE APPOINTING AUTHORITY OR HIS/HER DESIGNEE to receive pay for sick absences to be charged against accumulated sick-leave time. Regular and durational employees can accumulate unlimited sick leave as outlined below:

For employees hired before February 22, 1993, the following schedule applies:

1. One (1) day for each month of service during the first five (5) years of service;
2. One and one-half (1½) days for each month of service for the sixth (6th) year through the tenth (10th) year of service;
3. Two (2) days for each month of service for the eleventh (11th) year through the fourteenth (14th) year of service;

4. Two and one-half days (2½) for each month of service for the fifteenth (15th) year and thereafter.

For employees hired on or after February 22, 1993, one day of sick leave can be earned for each month of credited service through the 10th year, thereafter one-and-one-half days of sick leave will be earned for each month of credited service.

For PART-TIME REGULAR AND DURATIONAL employees, sick-leave accrual is calculated on a pro-rata basis.

For the purpose of calculating leave credit, credit includes all continuous work time spent as a FULL-TIME OR PART-TIME regular or durational employee of the County. Continuous permanent service with the City of Memphis, Attorney General, or Agricultural Extension Service immediately prior to a direct transfer to County employment is also creditable. This does not include temporary service. This sick-leave credit is relinquished once an employee terminates employment.

To prevent abuse of sick-leave privileges, the APPOINTING AUTHORITY HAS THE RESPONSIBILITY TO ENSURE THAT THE EMPLOYEE IS GENUINELY ILL BEFORE APPROVING ANY SICK LEAVE. ANY absence may require a doctor's certificate THAT MAY REQUIRE SPECIFIC INFORMATION ABOUT THE ILLNESS, TREATMENT, PROGNOSIS, and certify that the employee was too ill to perform his/her job duties. Any absence in excess of three workdays shall require a doctor's certificate to return to work if in the opinion of the immediate supervisor such action is deemed appropriate.

When an employee is absent from work with or without pay for 51% (excluding days off on annual leave, bonus leave, holidays or compensatory time) of the available workdays in the month, no sick leave accumulates for that month.

PAY FOR UNUSED SICK LEAVE AT RETIREMENT

Most employees, not on an executive pay schedule, who meet the eligibility requirements of the Shelby County retirement plan in effect at the time of their employment and receive a monthly retirement check shall be compensated in cash for accumulated unused sick leave when they retire. The limit is 75 days. The amount for unused sick leave is calculated on the employee's rate of pay in effect on the pay date immediately preceding retirement (not to exceed a base of \$20,000 per year). Such payment shall not be counted as compensation for the purpose of computing retirement benefits.

Employees receiving a cash out of their retirement benefit are not eligible for payment of unused sick leave.

BONUS LEAVE

Bonus leave days are given as a reward to employees for not using any leave other than annual, bonus leave, or compensatory leave during a given three-month period. After the first year, as many as four days of leave may be earned per year.

Provided there have not been absences for any reason during new employee probation, one bonus day will be earned when the probation period is successfully completed. Thereafter, bonus days are earned on a three-month basis to coincide with the employee's anniversary date of employment.

PURPOSE

Bonus days are given as a reward for NOT USING SICK LEAVE OR ANY TYPE OF LEAVE WITHOUT PAY.

ELIGIBILITY

All classified/unclassified full-time and part-time regular and durational employees are eligible to earn and use bonus leave days with the exception of elected officials, the Chief Administrative Officer, County Attorney, and Division Directors of the Mayor's administration.

Part-time regular and durational employees earn bonus days on a pro-rata basis.

USE OF BONUS DAYS

After the first six months of continuous employment and upon successful completion of original probation, the following

can be earned: one (1) bonus day to be taken within twelve (12) months from the day it is earned; subsequently, as many as four (4) days a year may be earned and MUST BE TAKEN WITHIN TWELVE (12) MONTHS FROM THE DAY THEY ARE EARNED.

ALL BONUS DAYS ARE EARNED QUARTERLY BASED ON AN EMPLOYEE'S EMPLOYMENT ANNIVERSARY DATE.

Under no circumstances can an employee accrue more than four (4) bonus days. Any bonus days not used within the twelve-month period from when they were earned will result in automatic loss of the day(s).

FAMILY LEAVE

As provided for by the Family Medical and Medical Leave Act of 1993, Shelby County Government will provide as much as 12 weeks of job-protected leave to "eligible" employees for certain family and medical reasons. Employees are eligible if they have worked for Shelby County Government for at least one year, and for 1,250 hours over the previous 12 months.

Leave may be granted for any of the following reasons:

- to care for employee's child after birth or placement for adoption or foster care;
- to care for an employee's spouse, son or daughter, or parent, who has a serious health condition; or
- for an employee's serious health condition that makes him/her unable to perform his/her job.

In order to be eligible for part or all of this leave, the employee will be required to provide at least 30 days advance notice. If 30 days is not possible, as much advance notice as possible must be given. When it is not possible to provide the required 30-day notice, the employee will supply the medical certification as required by the County within 15 calendar days of said request.

To find out more about the provisions of this leave and to obtain the special leave request and medical certification forms that must be used, contact your department management.

INJURY (OJI) LEAVE

Employees disabled because of bodily injury or illness that arises out of and in the course of performing their assigned duties may qualify for as many as ninety days of injury leave with full salary provided they have complied with County OJI policy and procedures. (See also On-the-Job Injury Benefits.)

At the end of the 90-day period, the injured employee's case will be subject to review by the appointing authority to determine the amount of salary, if any, to be paid after this date. In most cases, the salary will be reduced to 66 2/3% of base pay, in accordance with the Tennessee Workers Compensation Act.

The County will require an appropriate statement from the authorized treating physician if an employee must be absent from work because of a job-related injury. Each period or day of disability must be covered by the physician's statement. If the employee fails to provide an appropriate statement, injury leave for any absence from work will not be approved.

Employees who have been returned to work but need to attend a medical appointment will be paid OJI leave for a maximum of three (3) hours on the day of the appointment, unless additional time is authorized by the employee's department management because of staffing considerations or by the Risk Management Department because of the nature of the medical procedure being done. Employees should schedule medical appointments at the beginning or end of the shift in order to minimize lost time.

ON THE JOB INJURY (OJI) BENEFITS

Employees who suffer an injury or illness which arises out of and in the course of performing their assigned duties may qualify for medical expense benefits and injury leave (salary continuation) benefits, provided they have complied with County OJI policy and procedures, as described below. (See also Injury (OJI) Leave).

1. Injury reports must be filed for any injury, regardless of how minor it may seem at the time.
2. Injuries must be reported to an employee's immediate supervisor as soon as possible after the occurrence. If the immediate supervisor is not available, report the injury to another supervisor/manager in the area. Injuries not reported before the end of the employee's shift will not be approved or OJI claims unless overwhelming evidence exists that demonstrates the validity of the claim.
3. Injury reports may be completed by the supervisor or the employee, but must be signed by the supervisor.
4. If an injury requires medical attention, a physician must be seen within seven days of the incident that caused the injury. The County will not accept responsibility for an injury claim if the initial medical treatment was performed more than seven days after the incident that caused the injury.
5. The County will require an appropriate statement from the authorized treating physician if an employee must be absent from work because of a job-related injury. Each period or day of disability must be covered by the physician's statement. Failure to provide an appropriate statement will lead to disapproval of injury leave for any absence from work.

6. A medical release to return to work is required if an employee receives medical attention for an OJI. This release should specify the date the employee is able to return to work and list any physical limitation in the performance of job duties.
7. If an employee has to pay for treatment of an OJI (medicine, physician visit), he/she must provide the original documents to the Risk Management Department in order to be reimbursed.
8. A follow-up form must be completed for each reported injury and signed by both employee and supervisor. If medical attention is required for an OJI, the date of each medical visit and the name and address of the medical facility and/or authorized treating physician must be specified on the follow-up form. A follow-up form must be completed after each medical visit.
9. The County will not accept responsibility for payment of any expenses incurred as a result of visits to a chiropractor. Furthermore, a statement from a chiropractor will not meet the requirement of a physician evaluation validating the injury or any absence from work because of the injury.
10. The County, at its discretion, may require an evaluation from physicians selected by the County (the expense of such evaluation will be borne by the County). Failure to cooperate in such evaluation will result in loss of OJI benefits.
11. Leave benefits shall terminate at such time as the authorized treating physician or the physician selected by the County determines that an employee is physically able to return to work.
12. Medical benefits shall terminate at such time as the authorized treating physician or the physician selected by

the County determines that an employee has reached maximum medical improvement.

13. Medical and leave benefits may be terminated if an employee misses two (2) appointments for medical care with a physician and/or physical therapist and/or other medical provider.
14. In the event an employee is temporarily unable to return to work for the County, but the employee believes he/she is able to return to other employment or take other employment while receiving injury leave benefits from the County, the employee must get written permission from the Risk Management Department. If permission from Risk Management is not received, all OJI benefits will cease immediately. Additionally, any payments made while an employee was working may be required to be paid back to the County.
15. Employees should assume that modified duty work is available in a department, and consult with the authorized treating physician and the supervisor about returning to a modified job until the employee is able to return to the regular job. The County will require an employee to return temporarily to an available job of any nature that has been approved by the authorized treating physician or the County physician. Failure to return to such an available job will result in loss of OJI benefits.
16. Pre-admission certification by the County's Third Party Administrator is required prior to all non-emergency inpatient hospital admissions. Emergency admissions must be certified within 24 hours or the next working day. It is the employee's responsibility to make sure that any hospital admission is properly certified. Failure to meet this requirement may result in a substantial financial penalty. Please contact the OJI staff for assistance with this.

17. It is the policy of Shelby County Government to subrogate any job injury claim in which a third party was responsible (such as an auto accident). This in no way affects the employee's right to proceed legally against someone, other than Shelby County, who was responsible for the injury. Before any job injury bill can be paid, the employee will be asked to sign a form allowing Shelby County to recover its expenses from the party responsible for the accident. If the employee refuses to sign the form, the County will not accept responsibility for paying any medical bills for the job injury, and any time absent from work will not be authorized as OJI leave.
18. Although the employee is allowed to choose an authorized treating physician and place of treatment for the job injury, he/she should not change physicians unless there is a referral from the authorized treating physician, or the employee has discussed the problems with the OJI staff and they have approved the change. If the employee changes physicians without the proper approval, Shelby County will not be responsible for the bills from the new physician or any treatment he/she has recommended.
19. Shelby County will be responsible for medical bills for the treatment of a validated job injury so long as the charges are usual and customary as defined by the County's Third Party Administrator. Any amount above the usual and customary charges is the responsibility of the employee.
20. Rental or purchase of a TENS unit, wheelchair, hospital bed, special braces or splints, or other device must be approved by the OJI staff before the item is ordered. A prescription from the authorized treating physician is required. The OJI staff may arrange to rent or purchase the item from some place other than that suggested by the physician. If the employee orders such an item without the proper approval, Shelby County will not be responsible for the bills.

21. Shelby County will not be liable for medical payments for heart disease, hypertension, and/or lung disease claims subsequent to retirement or any other termination of employment.
22. On issues where County policy is silent, the policy and practice of Shelby County is to use the Tennessee Workers' Compensation Act as a guide, and to operate in substantial compliance with the Act.
23. Administrative and claims management procedures and provisions may change from time to time. If an employee has a validated OJI claim, the OJI staff will make every effort to assure that he/she is aware of employee rights and responsibilities and the appropriate policies and procedures.

Questions and problems should be directed to the OJI staff of the Risk Management Department at 545-4372.

DISABILITY LEAVE

Temporary Disability Leave is intended to apply to an extended period of medical disability at the end of which it is expected that the employee will have recovered sufficiently to return to his or her job.

ELIGIBILITY

All employees who are eligible to earn and use sick leave.

QUALIFICATIONS FOR TEMPORARY DISABILITY LEAVE

Temporary Disability Leave may begin under one (1) of these circumstances:

1. When a period of extended disability for a personal illness or injury has resulted in use of all accrued paid sick leave days and other available annual days, bonus days, and compensatory time to compensate for work days lost and the disability period has not reached six (6) months;
2. When a period of disability for a personal illness or injury covered by sick leave with pay has reached six months.

APPLICATION AND APPROVAL

Based on a written request from the employee, on a form provided by the County, the Appointing Authority and the Administrator of Human Resources will initiate a review of the request for Disability Leave. This review should be completed prior to the commencement of any such Disability Leave and no later than six (6) months from the date of initial absence. This review is to determine if the Temporary Disability Leave

should be granted. If the employee does not submit the form request within the proper time frame referenced above, all paid leave will be stopped until the request is received and processed.

A medical evaluation by consultants selected and paid for by the County may be requested to help in determining whether Disability Leave is justified. The employee is required to cooperate with any medical evaluation, which may include the release of relevant medical information. Failure to cooperate will result in denial of Temporary Disability Leave.

After the completion of the leave review, one of the following options will be selected:

1. If it is determined that the employee will be able to return to work within six (6) months, leave continuation in the form of Temporary Disability Leave will be granted for as many as six (6) months, which will require periodic medical or other documentation necessary to support the continuation of this leave;
2. If it is determined that the employee will be able to return to work within six (6) months, but not in the job previously held, the employee's department and the Human Resources Department will seek to locate another job that can be offered for which the employee has medical clearance. This job may or may not be at the employee's former job classification level. A position representing a promotion cannot be offered in this circumstance;
3. If it is determined that the employee is medically incapable of performing any job available in the County or it is not anticipated that the employee will improve medically within six months to be able to perform such a job, the employee has the following options:
 - a. Apply for disability pension, if eligible; or

- b. Accept termination for medical reasons and retain preferential employment rights in the event that the employee improves medically to the point where he or she may resume work activity with the County.

IMPORTANT NOTICE: The preferential employment right must be requested in writing within 30 days of termination by letter to the Administrator of Human Resources.

At the time an employee is able to return to work, a letter must be sent to the Administrator of Human Resources requesting preferential placement, and such letter must be accompanied by medical documentation verifying the ability of the person to return to active work;

4. If at the end of the approved Disability Leave period the employee is unable to return to work, the employee has the options as stated in 3A and B.

FILLING JOBS

After six months of absence from the job, the position the employee occupies may be filled by the department. At the time the employee is ready to return to work, the department and Human Resources Department will work together to locate a position for the returning employee. The employee will retain preferential employment rights.

DURATION AND BENEFITS

No employee can remain on Temporary Disability Leave beyond one (1) year from the initial date of absence.

The County will pay the employer's portion of benefit cost for six (6) months from the date of the initial absence.

Thereafter, the employee must pay 100% of the premium while in a leave status. Regular benefits will cease after one (1) year.

PAY

An employee can use paid sick, bonus, annual, or compensatory time to cover approved Temporary Disability Leave. If no leave is available, the employee can be placed on a leave without pay status while on Temporary Disability Leave.

While on Temporary Disability Leave, a shift employee will be assigned to a Monday through Friday day-shift schedule.

While an employee is on Temporary Disability Leave, pay will include base pay and those special pays incorporated into base pay. It excludes those special pays that are supplemental to base pay.

SPECIAL LEAVE

Special leave shall be defined as time off from regular hours that may be granted with or without pay at the discretion of the Appointing Authority or his/her designated representative. Such leave will include death or natural catastrophe in an employee's immediate family, which requires the employee's presence, as well as serving under subpoena as a witness in court.

FUNERAL LEAVE

For the purpose of applying this provision of leave, the definition of "family" will be: legal spouse; mother; father; brother or sister; son or daughter; grandparent or grandchild of employee; great grandparent or great grand child; mother-in-law or father-in-law; step-parent or step-brother/sister of employee; legally established foster parents of employee.

1. Special leave for these family members will be allowed for as many as three (3) days associated with the funeral of the deceased.
2. Special leave of one (1) day may be allowed to attend the funeral of an employee's aunt; uncle; brother-in-law or sister-in-law; or persons with whom an employee may have lived as a child for a period of five (5) or more years.
3. Employees may request all or part of annual leave days or bonus days for funeral services of persons with whom they have special personal relationships. Such leave will be requested in advance and be approved at the discretion of the department head.

4. Funeral leave is a form of special leave with pay that shall not exceed 10 days per year, unless written joint approval is received from the Appointing Authority or his/her designated representative based on recommendations made by the Administrator of Human Resources.

Special leave will not be substituted for sick leave.

NOTE: Under no circumstance can special leave with pay be given until the employee has successfully completed probation and has attained regular or durational status.

COURT LEAVE

An employee may be paid to attend court while serving under a subpoena as a witness, provided that the employee has no interest in the litigation either because of friendship or relationship to the parties in the dispute.

LEAVE WITHOUT PAY

When an employee is on leave without pay 51% of the month, no leave accumulates. This includes suspension without pay.

EDUCATIONAL LEAVE

Educational leave of absence without pay may be granted to an employee. This leave must be approved by the Appointing Authority or his/her designated representative. Requests for leave shall be submitted in writing, stating reasons for the request, the date the requested leave will begin, and the probable date of return. Educational leave of 30 days or more with pay must have the approval of the jurisdictional elected official.

MILITARY LEAVE

Any regular or durational employee who is a member of the United States National Guard, Army Reserve, Air Force Reserve, Marine Reserve, or any of the Armed Forces of the United States will be granted military reserve duty leave for any field training. The County will pay for as many as 15 days in a calendar year. Such leave will be granted upon presentation of the employee's official orders to the department head. While on Military Reserve Duty Leave, the employee will receive his/her regular base pay and will be allowed to retain military pay.

JURY SERVICE LEAVE

Employees selected for jury service shall be excused from their assigned duties for the actual duration of the jury duty upon presentation of proper documentation. Temporary employees must have worked six (6) months to be eligible for paid jury leave. If an employee summoned for jury duty is working a night shift or is working during the hours preceding those in which court is normally held, the employee shall be excused from employment for the shift immediately preceding the day of service. When the employee's responsibility for jury duty exceeds three (3) hours during a day, then the employee shall be excused for the day or from the person's next scheduled work period occurring within the next twenty-four (24) hours. An employee will receive their regular pay during jury service.

MATERNITY LEAVE

Shelby County Government will comply with all provisions of any State or Federal laws that are applicable to maternity leave. As provided for by the Tennessee Maternity Act of 1987, as amended, most female employees are eligible for as many as four (4) months of leave after the birth or adoption of a child. Sick leave pay would only be granted during this leave while the employee is medically disabled. Any earned annual or bonus leave can be used to be paid during this time. The remainder of maternity leave would be without pay.

In order to be eligible for part or all of this extended four months leave, at least three (3) months notice of intent to use this leave must be given except in emergency situations. An employee may find out more about the provisions of this leave and obtain the special leave request form that must be used from department management.

Leave taken under the Tennessee Maternity Act counts as family/medical leave under the Family and Medical Leave Act.

UNAUTHORIZED LEAVE

No employee shall absent himself or herself from duty without authorized leave. An employee who is absent without authorized leave for three (3) consecutive workdays may be terminated for job abandonment.

ADDITIONAL BENEFITS

ADDITIONAL DEATH BENEFITS

Upon the death of a full-time regular or durational employee, his or her estate shall receive the next due payroll check, an additional two weeks full pay, plus pay for unused annual leave and bonus days, minus any distribution to spouse and children allowed under state law. Further, the family and/or estate shall be given complete assistance by the department head and Human Resources Department in settling pension, life and hospital insurance, and credit union benefits.

DIRECT DEPOSIT OF PAYCHECK

The County offers the optional convenience of having payroll checks deposited directly to the bank of the employee's choice. This can be requested at any time by filling out the appropriate forms. See your department payroll clerk for more information.

DEFERRED COMPENSATION

The County offers an optional long-term tax deferred retirement savings plan for all employees. A wide range of savings options is available. For more information, contact the Employee Benefits Office of Human Resources.

FLEXIBLE BENEFIT PLAN

This Plan is a premium conversion plan governed by Section 125 of the Internal Revenue Code of 1954. It allows employees to pay premiums for certain insurance plans with

pre-tax dollars. For more information, see the Employee Benefits Office of the Human Resources Department.

CREDIT UNION

Membership in Shelby County Employees Federal Credit Union is open to all regular and durational employees and members of their immediate family living with them. To find out more about the credit union, visit or call the office at 157 Poplar, phone 545-4414 or the office on Sycamore View, phone 377-8929.

UNITED WAY

Payroll deductions are available for the convenience of employees contributing to the United Way through monthly installments.

U. S. SAVINGS BONDS

U. S. Savings Bonds may be purchased through payroll deductions. See your payroll clerk for more information.

TRAINING AND EDUCATION

The Shelby County Training and Conference Center, located at 740 Court Avenue, was established to meet the training and development needs of all County employees. The Training Office offers a wide range of courses, seminar, informational workshops, and conferences designed to enhance the quality of services offered through various County offices and functions.

Course offerings are primarily job specific and relate to information needed to effectively address the needs of our internal and external customers. Training is offered throughout the year in three (3) categories: General Topics, Supervisory Development, and Personnel Policy and Procedures.

A training record will be maintained at the Training Center for all employees who complete training seminars. This record will be furnished upon request by the employee and may be used as valid criteria for consideration of promotions, transfers, and pay increases.

Our philosophy of training is simple – it should be pertinent, contribute to improved job performance, and enjoyable! For more information, call the **Training Center** at **529-1429**.

Shelby County will reimburse employees for educational course work that is **job-related**, provided the funds are available in the department's budget, the employee has completed new employment probation, and the employee receives **advance** written authorization (prior to course registration) from his/her department head and the Human Resources Department. Additionally, the course must be taken from an accredited institution and the employee must earn a passing grade of "C" or higher. No reimbursement will be made for books or fees other than actual tuition.

Supervisors/managers have the necessary paperwork to begin the process. For more information call the Training Center at 529-1429.

The Risk Management Department conducts or sponsors regular training sessions on safety issues for supervisors and employees, as well as classroom programs on Defensive Driving and First Aid/CPR.

EMPLOYEE ASSISTANCE PROGRAM

Shelby County Government employees and their family members are eligible to receive services provided through the Employee Assistance Program (EAP). The EAP will assist employees and their families in receiving professional treatment for a wide range of conditions, some of which are substance dependence, stress, depression, marriage and family difficulties, psychosomatic disorders, anxiety, grief, and many others. Six (6) months of continuous employment is required for employees to be eligible for mental health benefits coverage in the insurance programs offered to employees. Six (6) months is required for dependents to be eligible. EAP counseling services, however, do not require any specific length of service.

All visits are strictly confidential. Appointments should be arranged prior to visitation to the EAP. EAP referral is mandatory for any usage of mental health insurance benefits. There is no cost to employees for consultation or counseling with the EAP staff, and no limitations on the number of visits to EAP. Employee can take time off from regular working hours for all appointments at the EAP Office. Proof of visitation must be given to your supervisor upon return to the workplace.

The Employee Assistance Program is staffed by professionals who are trained and experienced in helping employees resolve critical problems that can impact their lives. The EAP staff is available for appointments during normal working hours and a pager is manned for emergency psychiatric care information after normal working hours. For more information or to arrange an appointment, phone (901) 458-0966. For after hour mental health emergencies, the pager number is (901) 728-9810. The EAP office is located separately from all County facilities at 2400 Poplar Ave., Suite 240.

EMPLOYEE RECOGNITION AND ACTIVITIES

Shelby County Government believes that outstanding employees should be recognized for their contributions and that all employees should be given the opportunity to participate in a wide range of activities.

Included in recognition efforts are the employee of the month program, annual service awards, annual luncheon for long term employees, articles in County Lines (the employee newsletter) and various department and office-level awards.

Activities include the annual free employee picnic, the employee golf tournament, and the United Way, Operation Feed, Angel Tree, and WalkAmerica campaigns, which bring out the best in employee efforts to help our neighbors.

GENERAL INFORMATION

TELEPHONE USE

As a public employee, courtesy is always the first rule in using the telephone. For many taxpayers, who are our employers, the phone is the only contact they will have with County Government. It is important that it is always a courteous one.

All personal calls must be kept to a minimum and should only be made if absolutely necessary or if an emergency exists. Non-work related long-distance calls are prohibited.

To make outside calls, it is necessary to dial "9" prior to dialing the desired telephone number. To make inside calls, pick up handset and dial the appropriate extension number. To report troubles and/or problems, dial extension 3333 (if inside) and 545-3333 (if outside) for appropriate corrective action.

MAIL SERVICE

The following procedures are recommended for efficient mail service:

- Inter-office mail should be channeled through the Messenger Service;
- Mail opened by mistake should be resealed, notated "Opened by Mistake" and forwarded to proper addressee;
- Out-going business mail should be left in marked boxes for mail pickup;
- Personal mail should be sealed and stamped when brought to the mailroom;
- All mail should be bundled separately for Inter-office or outgoing.

PARKING FACILITIES

Downtown parking facilities that are located in the garage of the Shelby County Administration Building, Justice Complex, and Office Building lot are reserved. The outside lot under the expressway viaduct between Second Street and Third Street is on a "first-come" basis. All parking permits are issued by Support Services.

Rules and Regulations for Garage Parking:

- All vehicles utilizing parking facilities must have a parking sticker;
- Large trucks, except service trucks, are not allowed garage parking;
- Double parking is prohibited because of fire and safety regulations;
- The garage speed limit is five (5) MPH and must be observed at all times.

Any problems dealing with parking permits should be referred to the Support Services Department. All other parking problems should be referred to the Security Department.

BULLETIN BOARDS

The posting of information on official Shelby County Bulletin Boards is the responsibility of the Public Affairs Office. Employees may submit information for posting on the bulletin boards, provided small cards are used for posting information. Public Affairs must approve posting or removal of any bulletin. Job postings are the responsibility of the Department of Human Resources.

The posting of information on any bulletin board other than official Shelby County Government bulletin boards, such as department bulletin boards, requires prior approval of the appropriate department head or elected official.

USE OF ELECTRONIC MEDIA/COMMUNICATIONS EQUIPMENT AND SYSTEMS

All of Shelby County Government's Communications Media and Information Systems are installed for the purpose of conducting County business. These systems and equipment are an employer-provided work tool and, as such, management retains the right at any time to view any messages and other data on these systems.

Electronic media communications include: Two-way radios, telephones, fax machines, E-mail, internet communications associative electronic equipment such as personal modems/PC communications products, pagers, and beepers.

Electronic mail can be a public record under the Public Records Act of Tennessee and, therefore, may be subject to public inspection.

Improper, illegal, inappropriate, or offensive conduct in the usage of displayed, transmitted, received, and exchanged electronic communications is subject to discipline up to and including termination of employment.